

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION
CASE NO.: 2005-00123

RECEIVED
OCT 27 2005
PUBLIC SERVICE
COMMISSION

IN THE MATTER OF:

JOINT PETITION FOR THE TRANSFER PURCHASE
OF CERTAIN RESIDENTIAL SEWER OPERATIONS
LOCATED IN JOHNSON COUNTY, KENTUCKY, AND
OPERATED BY APPALACHIAN WASTE CONTROL, INC.

MOTION TO WITHDRAW APPLICATION

Comes the Petitioner, Larry Stambaugh, and moves the Commission for permission to withdraw his application in the above styled action on the foregoing grounds:

1. That upon further investigation on the matter in question, Larry Stambaugh has learned that there are serious violations, which he was unaware of. Specifically, two of the plants in question according to the Division of Water, will have to be replaced.

WHEREFORE, the Petitioner, Larry Stambaugh, prays the Commission dismiss his application and attaches an Order.



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CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing Motion was mailed on this the 27 day of October 2005 to the following:

Commonwealth of Kentucky
Public Service Commission
211 Sower Blvd.
P.O. Box 615
Frankfort, Ky 40602

Hon. David Edward Spenard
Assistant Attorney General
1024 Capital Center Drive, Suite 200
Frankfort, Ky 40601-8204

Mr. Mike Burford
Director Division of Filings
Public Service Commission
211 Sower Blvd.
P.O. Box 615
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Ms. Beth O'Donnell
Executive Director
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Mr. Lance Bowling
East Kentucky Waste Control
153 George Branch
East Point, Ky 41216

Mr. Gary Fairchild
Appalachian Waste Control
Box 2656, Route 2039
Hager Hill, Ky 41222



MICHAEL S. ENDICOTT

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION
CASE NO. 2005-00123

In th Matter of:

THE JOINT PETITION OF KEITH
FAIRCHILD, APPALACHIAN WASTE
CONTROL, INC., LANCE BOWLING, EAST KENTUCKY
WASTE CONTROL (DBA) AND LARRY STAMBAUGH AND
THE PURCHASE OF CERTAIN RESIDENTIAL SEWER LEASE
CURRENTLY OPERATED BY APPALACHIAN WASTE CONTROL, INC.

ORDER

This matter having come before the Commission upon Motion of the Petitioner, Larry Stambaugh to withdraw his application, the Board having considered the matter and being sufficiently advised, IT IS HEREBY ORDERED AND ADJUDGED, that the application filed herein is hereby DISMISSED.

Enter on this the _____ day of _____, 2005.

BY THE COMMISSION

ATTEST:

EXECUTIVE DIRECTOR